

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

OCWEN LOAN SERVICING, LLC

v.

CLAY B. HEIBERG, IN HIS CAPACITY  
AS EXECUTOR OF THE ESTATE OF  
GREGORY L. COLLINS, and SUZANNE  
M. STANTON, INDIVIDUALLY.

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Civil Action No. 4:17-CV-690

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(Judge Mazzant/Judge Nowak)

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## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On September 18, 2018, the report of the Magistrate Judge (Dkt. #37) was entered containing proposed findings of fact and recommendations that Defendant Suzanne M. Stanton's "Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(1) for Lack of Subject Matter Jurisdiction due to Probate Exception (All Subject to Movant's Special Appearance)" (Dkt. #24) be denied.

Having received the report of the Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendant Stanton's "Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(1) for Lack of Subject Matter Jurisdiction due to Probate Exception (All Subject to Movant's Special Appearance)" is **DENIED**.

**IT IS SO ORDERED.**

**SIGNED this 16th day of January, 2019.**



AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE